

LEGISLATURE OF NEBRASKA
NINETY-SIXTH LEGISLATURE
SECOND SESSION

LEGISLATIVE BILL 938

Introduced by Dw. Pedersen, 39

Read first time January 5, 2000

Committee: Judiciary

A BILL

- 1 FOR AN ACT relating to correctional services; to amend section
- 2 83-183, Reissue Revised Statutes of Nebraska; to change
- 3 provisions relating to work arrangements; and to repeal
- 4 the original section.
- 5 Be it enacted by the people of the State of Nebraska,

1 Section 1. Section 83-183, Reissue Revised Statutes of
2 Nebraska, is amended to read:

3 83-183. (1) To establish good habits of work and
4 responsibility, to foster vocational training, and to reduce the
5 cost of operating the facilities, persons committed to the
6 department shall be employed, eight hours per day, so far as
7 possible in constructive and diversified activities in the
8 production of goods, services, and foodstuffs to maintain the
9 facilities, for state use, and for other purposes authorized by
10 law. To accomplish these purposes, the director may establish and
11 maintain industries and farms in appropriate facilities and may
12 enter into arrangements with any other department or agency of the
13 state, any political subdivision, the State Board of Agriculture,
14 any school district, or any natural resources district for the
15 employment of persons committed to the department for state or
16 governmental purposes.

17 (2) The director shall make rules and regulations
18 governing the hours, conditions of labor, and the rates of
19 compensation of persons committed to the department. In
20 determining the rates of compensation, such regulations may take
21 into consideration the quantity and quality of the work performed
22 by such person, whether or not such work was performed during
23 regular working hours, the skill required for its performance, and
24 the economic value of similar work outside of correctional
25 facilities.

26 (3) Except as provided in section 83-183.01, wage
27 payments to a person committed to the department shall be set aside
28 by the chief executive officer of the facility in a separate fund.

1 The fund shall enable such person committed to the department to
2 contribute to the support of his or her dependents, if any, to make
3 necessary purchases from the commissary, and to set aside sums to
4 be paid to him or her at the time of his or her release from the
5 facility.

6 (4) The director may authorize the chief executive
7 officer to invest the earnings of a person committed to the
8 department. Any accrued interest thereon shall be credited to such
9 person's fund.

10 (5) The director may authorize the chief executive
11 officer to reimburse the state from the wage fund of a person
12 committed to the department for:

13 (a) The actual value of property belonging to the state
14 or any other person intentionally or recklessly destroyed by such
15 person committed to the department during his or her commitment;

16 (b) The actual value of the damage or loss incurred as a
17 result of unauthorized use of property belonging to the state or
18 any other person by such person committed to the department;

19 (c) The actual cost to the state for injuries or other
20 damages caused by intentional acts of such person committed to the
21 department; and

22 (d) The reasonable costs incurred in returning such
23 person committed to the department to the facility to which he or
24 she is committed in the event of his or her escape.

25 (6) No person committed to the department shall be
26 required to engage in excessive labor, and no such person shall be
27 required to perform any work for which he or she is declared unfit
28 by a physician designated by the director.

1 (7) The director may authorize that a portion of the
2 earnings of a person committed to the department be retained by
3 that person for personal use.

4 Sec. 2. Original section 83-183, Reissue Revised
5 Statutes of Nebraska, is repealed.